

For General Release

REPORT TO:	Council
AGENDA ITEM:	10
SUBJECT:	Croydon Local Plan: Strategic Policies – Partial Review (Submission to the Secretary of State for the Department of Communities and Local Government)
LEAD OFFICERS:	Heather Cheesbrough - Director of Planning and Strategic Transport
WARDS:	All
<p>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:</p> <p>The Croydon Local Plan will set the growth and development vision and planning policies for the borough from 2016 – 2036. The Croydon Local Plan will provide the planning policy basis for the borough to plan for the borough’s housing need, deliver necessary affordable housing, accommodate sustainable growth, regenerate the district centres, strengthen neighbourhood and local centres, safeguard and provide employment floorspace and deliver a renewed Croydon Opportunity Area, with a residential population of up to 20,000 people, a redeveloped retail core and provision of public realm and infrastructure.</p> <p>The Corporate Plan (2015-2018) sets out how the Council will deliver on three key ambitions:</p> <ul style="list-style-type: none"> • GROWTH, creating growth in our economy; • INDEPENDENCE, helping residents to be as independent as possible; • LIVEABILITY, creating a welcoming, pleasant place in which local people want to live. <p>Ambition Priority One of the Corporate Plan, growth is underpinned by the Croydon Local Plan, enabling development to occur in sustainable locations, in a desired form and at the appropriate time. The Croydon Local Plan establishes the planning policy vision and the statutory basis with which to support the growth and development objectives delivered through the Croydon Promise.</p> <p>The Corporate Plan contains the Council’s contribution to Croydon’s Community Strategy 2016-2021 developed by Croydon’s Local Strategic Partnership (LSP). The Community Strategy is the overarching strategy for the borough and sets out the direction for the Local Strategic Partnership for the next five years and beyond, with the focus on three overarching outcomes, each with their individual priorities, which will see Croydon become:</p> <ul style="list-style-type: none"> • a place to learn work and live through ambitious placemaking, regeneration, economic growth, cultural renaissance and providing a safe pleasant environment • a place of opportunity for everyone through better education, health promotion, supporting independence and resilience, and tackling poverty 	

deprivation and homelessness

- a place with a vibrant and connected community and voluntary sector through enabling communities to connect, collaborate and take responsibility where they see a need and have capacity and commitment to provide for it.

The Community Strategy is set within the context of ‘We are Croydon’, Croydon’s long term vision that was developed by approximately 20,000 residents and adopted in 2010. Croydon’s vision is to be

Enterprising - a place renowned for its enterprise and innovation with a highly adaptable and skilled workforce and diverse and thriving local economy

Connected - a place that is well connected, easy to get to and around, and supported by infrastructure that enables people to easily come together; with one of the best digital, communications and transport networks in the country

Creative - a place that draws people to its culture and creativity – an inspiration and enabler of new artistic and sporting talent

Sustainable - a place that sets the pace amongst London boroughs on promoting environmental sustainability and where the natural environment forms the arteries and veins of the city

Learning - a place that unleashes and nurtures local talent and is recognised for its support and opportunity for lifelong learning and ambitions for children and young people

Caring - a place noted for its safety, openness and community spirit where all people are welcome to live and work and where individuals and communities are supported to fulfil their potential and deliver solutions for themselves.

The Croydon Local Plan will assist in delivery of Croydon’s vision and the Partnership’s priorities for each outcome.

FINANCIAL IMPACT The Croydon Local Plan can be delivered from the Croydon Local Plan budget (reserve) 2016 – 2018.

Under delegated authority from the Cabinet meeting of the 11th July 2016, the Deputy Leader (Statutory) – Cabinet Member for Homes, Regeneration and Planning recommends the following to Council:

RECOMMENDATIONS

That Council:

1. Agrees the submission of the Croydon Local Plan: Strategic Policies – Partial Review to the Secretary of State for the Department of Communities and Local Government including the Croydon Local Plan Policies Map and together with the Croydon Local Plan Strategic Policies – Partial Review Main Modifications.
2. Delegates to the Director of Planning and Strategic Transport, in consultation with the Deputy Leader (Statutory) – Cabinet Member for Homes, Regeneration and Planning, the approval to consult on Croydon Local Plan: Strategic Policies – Partial Review post Examination in Public Main modifications, should that be necessary as directed by the Independent Planning Inspector.
3. Delegates to the Director of Planning and Strategic Transport, in Consultation with the Deputy Leader (Statutory) – Cabinet Member for Homes, Regeneration and Planning, the making of minor changes relating to factual elements and clarification where needed, prior to submission of Croydon Local Plan: Strategic Policies – Partial Review to the Secretary of State.

2. EXECUTIVE SUMMARY

Why undertake the Croydon Local Plan: Strategic Policies - Partial Review? - (Referred to as CLP1.1 in this report).

- 2.1 The Croydon Local Plan: Strategic Policies was adopted in April 2013. The Plan sets out the vision, development objectives and strategic planning policies for the borough from 2011 to 2031. In April 2013 the Council also adopted the Croydon Opportunity Area Planning Framework (COAPF). The Croydon Local Plan: Strategic Policies and COAPF work alongside a series of Masterplans for Croydon Opportunity Area.
- 2.2 The Croydon Local Plan: Strategic Policies - Partial Review (CLP1.1) is needed for a number of key reasons and these are addressed in turn below.
- 2.3 Ambitious for Croydon is enshrined in the overall vision, objectives and policies of CLP1.1 to ensure Croydon continues to be an attractive and thriving place for all to live, work and visit, including increasing the supply of homes through sustainable growth (together with affordable homes), the renewal and regeneration of Croydon Opportunity Area and the borough's District Centres, increased emphasis on culture and, setting the environment for employment opportunities and economic growth.

- 2.4 Croydon's Community Strategy (2016 – 2021) priorities of a place to learn work and live through ambitious placemaking, a place of opportunity for everyone and a place with a vibrant and connected community are all supported by CLP1.1 and provide the framework for the delivery of these priorities.
- 2.5 The government approving the Council's Growth Zone status is very positive news for the sustainable development of the borough and the delivery of infrastructure. CLP1.1 sets the planning framework to allow the development that underpins the Growth Zone and plans for the infrastructure the Growth Zone will deliver with partners.
- 2.6 Finally, the Further Alterations to the London Plan were adopted in 2015, it is necessary that CLP1.1 is in conformity with the London Plan at the earliest opportunity to ensure the borough has an up to date development plan, including reflecting the new development requirements set out in the London Plan.

Background

- 2.7 The Croydon Local Plan: Strategic Policies Partial Review (CLP1.1) is the most important planning policy document for the borough and provides an exciting and deliverable vision for Croydon up to 2036. It sets a proactive framework for the planning and management of development in the borough over that period; and it will continue to serve as the foundation for planning decisions and a range of other planning documents, in particular the Croydon Local Plan: Detailed Policies and Proposals (CLP2).
- 2.8 CLP1.1 was the subject of preferred and alternative options consultation from 6 November to 18 December 2015. CLP1.1 Proposed Submission publication was undertaken from 5th September 2016 to 17th October 2016. Consultation and publication was carried in accordance with the The Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's adopted Statement of Community Involvement 2012.
- 2.9 The preferred and alternative options consultation and Proposed Submission publication resulted in an unprecedented number of representations and engagement in the process. This engagement in the Local Plan process is welcomed and the comments received have helped shape CLP1.1. The Main Modifications that are proposed to the July 2016 Proposed Submission CLP1.1 are as a consequence of the representations received as part of the Proposed Submission publication and relate to the soundness of CLP1.1. The Main Modifications are set out in Appendix 3.
- 2.10 The costs associated with Submission of CLP1.1 can be met from the Local Plan Budget (reserve) 2015-18.

3. DETAIL

- 3.1 The key catalyst for the partial review is the adoption of the Further Alterations

to the London Plan, which increase the borough's housing target from 1,330 per annum to 1,435 per annum. Adoption of this target by The Mayor has rendered the existing housing requirements in the Croydon Local Plan: Strategic Policies obsolete. This combined with the desirability of extending the life of the Croydon Local Plan: Strategic Policies and having an up to date development plan to determine development proposals and avoid Government Plan Making performance implications provides the justification to undertake the partial review.

The national context

- 3.2 The National Planning Policy Framework states that "Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities".
- 3.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. Currently the development plan in Croydon consists of the London Plan, the Croydon Local Plan: Strategic Policies, the saved policies of the Unitary Development Plan and the South London Waste Plan.
- 3.4 The National Planning Policy Framework states that Local Plans must be positively prepared, justified, effective and consistent with national policy to be considered sound.
- 3.5 To be positively prepared the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- 3.6 To be justified the Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.
- 3.7 To be effective the Plan should be deliverable over its time period and based on effective joint working on cross-boundary strategic priorities.
- 3.8 The Council has now reached the stage to submit the Croydon Local Plan: Strategic Policies – Partial Review to the Secretary of State for the Department of Communities and Local Government.

The Croydon Local Plan

- 3.9 A new Croydon Local Plan is being prepared to replace the saved policies of the Unitary Development Plan which were adopted in 2006 and to update the Strategic Policies to reflect the new London Plan adopted in March 2015.
- 3.10 The Croydon Local Plan is split into two documents, the Strategic Policies – Partial Review Development Plan Document (CLP1.1) and the Detailed Policies and Proposals Development Plan Document (CLP2).

- 3.11 Upon adoption it will become part of the development plan for Croydon and will benefit from the full weight afforded to development plan policies under Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 3.12 Council is recommended to agree submission of the Croydon Local Plan: Strategic Policies – Partial Review Main Modifications to the Secretary of State for the Department of Communities and Local Government in order for an Independent Inspector to be appointed to examine the soundness of the Croydon Local Plan: Strategic Policies – Partial Review.
- 3.13 The Main Modifications set out in Appendix 3 are necessary as a result of the representations received as part of the Proposed Submission publication, which have highlighted issues regarding soundness. The justification for the Main Modifications are included in Appendix 3. Notwithstanding the Main Modifications outlined in Appendix 3, the Proposed Submission Croydon Local Plan: Strategic Policies – Partial Review is unchanged since consideration at Cabinet on 11th July 2016 and is now recommended for submission the Secretary of State for the Department of Communities and Local Government.
- 3.14 The remaining timetable for preparation of the Croydon Local Plan: Strategic Policies Partial Review is set out below:

Stage	When
Submission of Croydon Local Plan: Strategic Policies Partial Review to the Secretary of State	January 2017
Independent examination by a planning inspector	Spring/Summer 2017
Adoption of Croydon Local Plan: Strategic Policies Partial Review as the Council's planning policies	Winter 2017

4. CONSULTATION / PUBLICATION

- 4.1 The Croydon Local Plan: Strategic Policies - Partial Review (Proposed Submission) was published on 5th September to 17 October 2016.
- 4.2 The publication was communicated as follows:
- Emails and/or letter to the Local plan consultee database, regularly updated - a list of all the organisations and stakeholders, Croydon engages with on planning documents, this includes the Duty to Cooperate authorities, Statutory Bodies, landowners and developers and local community organisations, businesses and residents.
 - The Croydon Local Plan: Strategic Policies - Partial Review, Policies Map, evidence base, Croydon Local Plan 'Places' summary document, representation guidance form, representation form and online representation form available on the Council's website.

APPENDIX 1

- Printed media - adverts in the local newspaper and council communications including e-bulletins to promote the publication period.
 - Site notices displayed for all the site proposals (allocations).
 - The Croydon Local Plan: Strategic Policies - Partial Review, Policies Map, Croydon Local Plan 'Places' summary document, representation guidance form, and representation form were available in the borough's libraries.
 - Information stand was erected in the main library for the period of the consultation.
 - Web pages, and social media such as Facebook and Twitter.
- 4.3 All representations received on the Croydon Local Plan: Strategic Policies - Partial Review (Proposed Submission) will be sent to the Planning Inspectorate for consideration by an Independent Planning Inspector at the Examination in Public.
- 4.4 A summary of the main issues raised in representations received on Croydon Local Plan: Strategic Policies - Partial Review (Proposed Submission) are set out below.
- A need for a review of the Metropolitan Green Belt to deliver the number of homes needed.
 - The proposed change of a minimum requirement of 30% affordable homes on sites of 10 dwellings or more
 - The proposed clause to the Affordable Homes Strategic Policy (SP2.5) that a Review Mechanism can only be entered into provided that the construction costs are not in the upper quartile of build costs
 - That the flexibility provided by paragraph 4.11 regarding the acceptance of commuted sums in-lieu of on-site provision of affordable homes and tenure splits should form part of Affordable Homes Strategic Policy (SP 2.3 – 2.5).
 - Justification for proposed change to the Sustainable Design and Construction Strategic Policy (SP6.3 (g))
 - The proposed changes to the designation of Metropolitan Open Land at Shirley Oaks Village and Metropolitan Green Belt land at Croham Hurst, Sanderstead Plantation and Purley Downs.
 - The change from Local Areas of Special Character (LASC) to Local Heritage Areas with some existing LASCs not being designated Local Heritage Areas.
- 4.5 It is planned that Submission of the Croydon Local Plan: Strategic Policies - Partial Review to the Secretary of State will take place in mid to late January, subject to Full Council approval to submit.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

1 Revenue and Capital consequences of report recommendations

	Current Financial Year 2016/17 £'000	M.T.F.S – 3 year Forecast		
		2017/18	2018/19	2019/20
		£'000	£'000	£'000
<u>Earmarked Reserve</u>				
Croydon Local Plan reserve	(253)	(78)	0	0
			0	0
<u>Effect of Decision from Report</u>				
Expenditure CLP1.1 ¹	70	40	0	0
Expenditure CLP2 ²	105	38		
Remaining Reserve	<u>(78)</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Revenue Budget available</u>				
Expenditure	0	2	0	0

The costs of delivering the Croydon Local Plan can be met from the existing earmarked reserve set aside for this purpose (£253k) and the revenue budget (£2k 2017/18).

2 The effect of the decision

The submission of CLP1.1 is one stage in the process of preparing the Croydon Local Plan: Strategic Policies - Partial Review. Submission to the Secretary of State is a statutory requirement in preparing a Development Plan Document, of which CLP1.1 is one. All the current work required to support CLP1.1 is accounted for within the current Spatial Planning Service resource level and Local Plan reserve. The earmarked reserve of £253k has been set aside for the delivery of the Croydon Local Plan and the expenditure for this element of the Local Plan can be funded from this reserve. Once all expenditure is taken into account, this reserve will be fully spent and an additional £2k budget will be required to fund the project. This will be funded through the existing revenue budget or through any reduced spending from the reserve.

¹Croydon Local Plan: Strategic Policies- Partial Review

² Croydon Local Plan: Detailed Policies and Proposals

3 Risks

The preparation of CLP1.1 is a complex multi-stage process, being prepared to a tight timetable. There is therefore inherent risk that any unforeseen circumstances, additional analysis or legal challenge will result in additional financial costs above those available and could delay the final adoption of CLP1.1.

These are being mitigated to reduce their impact with a programme management approach and up front communication with key stakeholders including statutory organisations.

As CLP1.1 will be part of the overarching Local Planning Authority's spatial planning strategy for the next twenty years, it is also essential that it is of sufficient quality and purpose to ensure the Council can achieve its Vision.

4 Options

There are no options with regard to submission to the Secretary of State, as most of the processes being undertaken are specified by statutory requirements or by government policies.

In the absence of CLP1.1, future planning decisions will be at risk of challenge as there could be the absence of an up to date development plan and possible non-conformity with London Plan policy, which could result in greater planning appeal costs.

5 Future savings/efficiencies

A sound CLP1.1 will contribute indirect financial savings by assisting the regeneration of the borough through the setting of a firm planning framework that will provide certainty to the community and developers, mitigate cost associated with planning appeals and ensure the Council has an up to date development plan as set out in government guidance, which could become a performance requirement under emerging government policy.

6 Approved by: Zulfiqar Darr, Interim Head of Finance - Place & Resources

6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

6.1 The Council Solicitor comments that Part 2 of the Planning and Compulsory Purchase Act 2004 ('the Act'), together with the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations') made under the Act, govern how the Council is to develop, maintain and keep under review its local development scheme including the local development documents of which the Croydon Local Plan: Strategic Policies – Partial Review forms part. The recommendations set out in this report and the detail in the body of the report evidences the Council's compliance with these statutory obligations. In particular, throughout the process of reviewing the local plan, officers have had regard to the following;-

- i) Regulation 18 of the Regulations by giving public notification of the preparation of the Local Plan and inviting representations to be made on proposals

- ii) Regulation 19 of the Regulations by publishing the documents intended to be submitted to the Secretary of State prior to submission to the Secretary of State
- iii) Regulation 22 of the Regulations by ensuring that such documents that are required to be submitted under that Regulation to the Secretary of State for consideration and independently examine the Local Plan under Section 20 of the Act are in proper form.

6.2 Following submission of the Croydon Local Plan: Strategic Policies – Partial Review to the Secretary of State, the Secretary of State will appoint an Independent Planning Inspector to conduct an Examination in Public into the soundness (as defined in the National Planning Policy Framework) of the Local Plan. The Inspector’s Report will conclude whether the Plan is sound and appropriate for adoption by the Council taking account of, amongst other things, representations received in relation to the Plan. The Inspector may conclude that the Plan is suitable for adoption with or without further modifications. Under Section 23 of the Act, adoption of the Plan will need to be subject to a further Council resolution.

(Approved by: Sean Murphy: Principal Corporate Solicitor (Regeneration) on behalf of the Acting Council Solicitor and Acting Monitoring Officer)

7. HUMAN RESOURCES IMPACT

7.1 There are no direct Human Resources considerations arising from this report in terms of impact on staff. However, submission to the Secretary of State of the Croydon Local Plan: Strategic Policies - Partial Review can be undertaken with the current Spatial Planning resource level and availability.

Approved by Adrian Prescod, HR Business Partner, for and on behalf of the Director of Human Resources

8. EQUALITIES IMPACT

8.1 The Croydon Local Plan: Strategic Policies - Partial Review has been subject to an Equality Analysis scoping exercise, which has assessed the draft Plan’s impact on equalities and identified that a full Equalities Assessment was necessary for the Proposed Submission stage. The Scoping Report was published on 7 August 2012 and was thereupon subject to a five week consultation. The full Equalities Assessment has established that there is no potential for discrimination, harassment or victimisation and that the Croydon Local Plan: Strategic Policies – Partial Review, includes all appropriate actions to advance equality and foster good relations between groups. The appropriate actions to address potential impacts on groups with a protected characteristic include:

- The Croydon Monitoring Report, which is published annually, to assess the effectiveness of the Croydon Local Plan: Strategic Policies – Partial Review.
- Monitoring of supply and demand for sheltered, residential care, and extra care housing.

9. ENVIRONMENTAL IMPACT

- 9.1 A full Sustainability Appraisal (incorporating a Strategic Environmental Assessment) of the Croydon Local Plan: Strategic Policies – Partial Review has been prepared. Amendments have been made to the Croydon Local Plan: Strategic Policies – Partial Review as a result of the findings of the Sustainability Appraisal.

10. CRIME AND DISORDER REDUCTION IMPACT

- 10.1 The Croydon Local Plan: Strategic Policies – P partial Review (Proposed Submission) report does not have a direct impact on the reduction or prevention of crime and disorder.

11. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

- 11.1 Submission to the Secretary of State is an essential and statutory requirement in preparing the Croydon Local Plan: Strategic Policies - Partial Review. Subject to the Main Modifications, The Croydon Local Plan: Strategic Policies - Partial Review is considered to be positively prepared, justified, effective and consistent with national policy.
- 11.2 In the absence of the Croydon Local Plan: Strategic Policies – Partial Review future planning decisions will be at risk of challenge as there could be the absence of an up to date development plan and possible non-conformity with London Plan policy, which could result in greater planning appeal costs.
- 11.3 The Housing and Planning Act (2016) introduces the ability of the Secretary of State to intervene in a Council's plan making if they do not have an up to date Local Plan by 2017. Progression of the Council's Local Plan keeps plan making in the Council's control.

12. OPTIONS CONSIDERED AND REJECTED

- 12.1 There are no options with regard to submission to the Secretary of State, as the processes being undertaken are specified by statutory requirements or by government policies.

CONTACT OFFICER: Steve Dennington Interim Service Head- Spatial Planning (ext. 64973)

BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972

- Evidence base for Croydon Local Plan: Strategic Policies Partial Review , Sustainability Appraisal and Equality Analysis Report
- Appendix 1 – Draft Croydon Local Plan: Strategic Policies Partial Review (Proposed Submission)
- Appendix 2 – Draft Croydon Local Plan (Proposed Submission) Policies Map and Addendum (the Policies Map layers shown on the Addendum supersede the Draft Croydon Local Plan (Proposed Submission) Policies Map and are those to be approved).
- Appendix 3 - Croydon Local Plan: Strategic Policies – Partial Review Main Modifications

(Available via:

<https://secure.croydon.gov.uk/akscroydon/users/public/admin/kabmenu.pl?cmte=CAB>)